

PROB 12C
(7/93)

Report Date: July 30, 2013

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**JUL 30 2013**SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Eddie David Zamarripa

Case Number: 2:10CR02025-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 11/4/2010

Original Offense: Possession of a Firearm by Prohibited Person, 18 U.S.C. § 922G.F.

Original Sentence: Prison - 36 Months
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: 3/28/2013

Defense Attorney: Rebecca Pennell

Date Supervision Expires: 3/27/2016

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Eddie Zamarripa allegedly committed a new law violation of malicious mischief of personal property, on or about July 26, 2013, in Spokane, Washington.

On July 26, 2013, officers from Spokane Police Department responded to a report of a male with a knife in Irv's Bar, at 415 E. Sprague. The offender was later positively identified as the person of interest. According to incident report #13-247913, Eddie Zamarripa allegedly threw an object through the back window of a vehicle occupied by three individuals. The offender was chased into the aforementioned bar and detained until arrested by law enforcement. It is noted that the offender admitted to possessing a knife.

- 2 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Committing a new law offense of assault on or about July 9, 2013, in Spokane, Washington.

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On July 9, 2013, Spokane Police Department officers responded to a fight at 1116 W. Sharp, Spokane, Washington. According to the incident report (#13-226710), Eddie Zamarripa allegedly assaulted a male neighbor during a barbeque at the residence. Information contained in the incident report showed that everyone had been drinking alcohol, to include Eddie Zamarripa. An argument over Eddie Zamarripa's girlfriend ensued, which lead to the alleged assault. The victim stated that Eddie Zamarripa hit him several times and knocked him down. Several individuals witnessed the alleged assault. Law enforcement indicated that probable cause for misdemeanor assault existed but no witnesses were able to identify Eddie Zamarripa by name to the officers.

- 3 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Eddie Zamarripa violated his conditions of supervision in Spokane, Washington on July 26 and 27, 2013, by failing to appear for his required chemical dependency treatment.

On June 26, 2013, the undersigned officer conducted a field visit to ADEPT treatment agency in order to assess the offender's level of compliance during treatment sessions. At that time, multiple counselors indicated that the offender is considered belligerent and threatening during group sessions. Specifically, the offender makes inappropriate comments towards other individuals during sessions. On June 16, 2013, the undersigned officer coordinated an intervention meeting involving the offender and counselors from ADEPT. During the meeting the offender's behavior was addressed and it was noted that his attitude must improve in order for him to remain in treatment. Mr. Zamarripa acknowledged the problems as discussed and agreed to cooperate.

- 4 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Eddie Zamarripa violated conditions of supervised release in Spokane, Washington, on July 23, 2013, by failing to appear in the U.S. Probation Office as required. The offender was directed to appear in the U.S. Probation Office every Tuesday, until he secures a phone and/or employment. On July 25, 2013, the undersigned officer encountered the offender while walking in the community. At that time, the offender was questioned as to his failure to appear in the office, on July 23, 2013. Eddie Zamarripa indicated that he had other obligations and had simply forgotten to appear.

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- 5 **Standard Condition #11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Eddie Zamarripa violated conditions of supervised release in Spokane, Washington, on July 29, 2013, by failing to notify the undersigned officer within 72 hours of being arrested or questioned by a law enforcement officer. The offender as referenced above, was arrested.

- 6 **Standard Condition #5:** The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons.

Supporting Evidence: The offender has failed to maintain steady employment since his supervision commenced on March 28, 2013.

- 7 **Standard Condition #9:** The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: On July 25, 2013, during contact with the offender in the community, Mr. Zamarripa admitted that he was en route to a felon's house. During the above-referenced contact with the offender, he indicated to the undersigned officer that he was planning on visiting Jose Rivera at his apartment later that evening. The undersigned officer advised the offender that he did not have permission to contact Mr. Rivera at his residence. It is noted that the offender was given permission to speak with Jose Rivera relative to job opportunities in the community.

- 8 **Special Condition #20:** The defendant shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance..

Supporting Evidence: Eddie Zamarripa violated conditions of supervised release in Spokane, Washington, on July 26, 2013, by consuming alcohol. According to incident report #13-247913, while being questioned by law enforcement officers, Eddie Zamarripa was very intoxicated, had a hard time sitting up, was slurring his words, and sweating profusely.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the offender to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: 07/30/2013

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer *Fred Van Hook*

7/30/13
Date